



January 31, 2007

HOUSE BILL No. 1578

DIGEST OF HB 1578 (Updated January 29, 2007 2:01 pm - DI 109)

Citations Affected: IC 20-25; IC 20-31.

Synopsis: School improvement awards. Establishes the school improvement award fund to provide grants to public schools that show an improvement in academic performance or high performing schools. Requires the department of education to establish a distribution formula for the award fund. Specifies the basis for the awards. Repeals the current law concerning student educational achievement grants. Makes conforming amendments.

Effective: July 1, 2007.

Battles, Smith V

January 23, 2007, read first time and referred to Committee on Education.
January 30, 2007, amended, reported — Do Pass.

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HB 1578—LS 7555/DI 109+



January 31, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1578

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-25-10-1, AS ADDED BY P.L.1-2005,
2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 1. (a) The board shall modify, develop, and
4 implement a plan for the improvement of student achievement in the
5 schools in the school city.
6 (b) A plan modified, developed, and implemented under this chapter
7 must be consistent with this article and with IC 20-31-1, IC 20-31-2,
8 IC 20-31-5, IC 20-31-6, ~~IC 20-31-7~~, IC 20-31-8, IC 20-31-9, and
9 IC 20-31-10, **and IC 20-31-12.**
10 SECTION 2. IC 20-25-10-3, AS AMENDED BY P.L.1-2006,
11 SECTION 323, IS AMENDED TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2007]: Sec. 3. The board shall:
13 (1) modify, develop, and publish the plan required under this
14 chapter; and
15 (2) implement the modified plan;
16 in compliance with the timelines of IC 20-31-1, IC 20-31-5,
17 IC 20-31-6, ~~IC 20-31-7~~, IC 20-31-8, IC 20-31-9, and IC 20-31-10.

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SECTION 3. IC 20-25-10-5, AS AMENDED BY P.L.1-2006, SECTION 324, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) The board shall annually assess and evaluate educational programs offered by the school city to determine:

(1) the relationship of the programs to improved student achievement; and

(2) the educational value of the programs in relation to cost.

(b) The board may obtain information from:

(1) educators in the schools offering a program;

(2) students participating in a program; and

(3) the parents of students participating in a program;

in preparing an assessment and evaluation under this section. The assessment must include the performance of the school's students in achieving student performance improvement levels under IC 20-31-1, IC 20-31-5, IC 20-31-6, ~~IC 20-31-7~~, IC 20-31-8, IC 20-31-9, IC 20-31-10, **IC 20-31-12**, and IC 20-25-11.

SECTION 4. IC 20-25-11-1, AS AMENDED BY P.L.1-2006, SECTION 325, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The board shall establish annual student performance improvement levels for each school that are not less rigorous than the student performance improvement levels under IC 20-31-1, IC 20-31-5, IC 20-31-6, ~~IC 20-31-7~~, IC 20-31-8, IC 20-31-9, and IC 20-31-10, including the following:

(1) For students:

(A) improvement in results on assessment tests and assessment programs;

(B) improvement in attendance rates; and

(C) improvement in progress toward graduation.

(2) For teachers:

(A) improvement in student results on assessment tests and assessment programs;

(B) improvement in the number and percentage of students achieving:

(i) state achievement standards; and

(ii) if applicable, performance levels set by the board;

on assessment tests;

(C) improvement in student progress toward graduation;

(D) improvement in student attendance rates for the school year;

(E) improvement in individual teacher attendance rates;

(F) improvement in:

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- 1 (i) communication with parents; and
- 2 (ii) parental involvement in classroom and extracurricular
- 3 activities; and
- 4 (G) other objectives developed by the board.
- 5 (3) For the school and school administrators:
- 6 (A) improvement in student results on assessment tests, totaled
- 7 by class and grade;
- 8 (B) improvement in the number and percentage of students
- 9 achieving:
- 10 (i) state achievement standards; and
- 11 (ii) if applicable, performance levels set by the board;
- 12 on assessment tests, totaled by class and grade;
- 13 (C) improvement in:
- 14 (i) student graduation rates; and
- 15 (ii) progress toward graduation;
- 16 (D) improvement in student attendance rates;
- 17 (E) management of:
- 18 (i) general fund expenditures; and
- 19 (ii) total expenditures;
- 20 per student;
- 21 (F) improvement in teacher attendance rates; and
- 22 (G) other objectives developed by the board.

23 SECTION 5. IC 20-25-12-1, AS ADDED BY P.L.1-2005,
 24 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2007]: Sec. 1. (a) IC 20-31-1, IC 20-31-2, IC 20-31-5,
 26 IC 20-31-6, ~~IC 20-31-7~~, IC 20-31-8, IC 20-31-9, ~~and~~ IC 20-31-10, **and**
 27 **IC 20-31-12** apply to the school city. The composition of a local school
 28 improvement committee is determined under IC 20-31-1, IC 20-31-2,
 29 IC 20-31-5, IC 20-31-6, ~~IC 20-31-7~~, IC 20-31-8, IC 20-31-9, ~~and~~
 30 IC 20-31-10, **and IC 20-31-12.**

31 (b) The plan developed and implemented by the board under
 32 IC 20-25-10 must contain general guidelines for decisions by the
 33 educators in each school to improve student achievement in the school.

34 (c) The board's plan shall provide for the publication to other
 35 schools in the school city and to the general community those:

- 36 (1) processes;
- 37 (2) innovations; and
- 38 (3) approaches;

39 that have led individual schools to significant improvement in student
 40 achievement.

41 SECTION 6. IC 20-25-13-7, AS AMENDED BY P.L.1-2006,
 42 SECTION 326, IS AMENDED TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2007]: Sec. 7. IC 20-28-6-4 and IC 20-28-6-5 apply to certificated employees in the school city. A teacher's students' performance improvement levels under the assessment tests and programs of IC 20-31-1, IC 20-31-5, IC 20-31-6, ~~IC 20-31-7~~, IC 20-31-8, IC 20-31-9, ~~and~~ IC 20-31-10, **and IC 20-31-12** may be used as a factor, but not the only factor, to evaluate the performance of a teacher in the school city.

SECTION 7. IC 20-31-1-1, AS ADDED BY P.L.1-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. This article applies only to the following:

(1) Public schools.

(2) Except as provided in ~~IC 20-31-7~~ and IC 20-31-9 **and IC 20-31-12**, nonpublic schools that voluntarily become accredited under IC 20-19-2-8.

SECTION 8. IC 20-31-12 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]:

Chapter 12. School Improvement Awards

Sec. 1. This chapter does not apply to a nonpublic school.

Sec. 2. As used in this chapter, "fund" refers to the school improvement award fund established by section 6 of this chapter.

Sec. 3. As used in this chapter, "grant" refers to a school improvement award grant from the fund.

Sec. 4. As used in this chapter, "graduation rate" has the meaning set forth in IC 20-26-13-6.

Sec. 5. "High performing" means placement by the state board in the exemplary or commendable performance category.

Sec. 6. (a) The school improvement award fund is established to reward schools that show improvement over previous years' academic performance and high performing schools with a graduated series of awards. The fund is administered by the department.

(b) The fund consists of appropriations from the general assembly.

(c) Money in the fund at the end of a state fiscal year:

(1) does not revert to the state general fund; and

(2) must be transferred to the remediation grants fund.

Sec. 7. The department shall determine a formula for the allocation of grants based on the following:

(1) The performance of a school's students on the ISTEP program test.

(2) The performance of subgroups of a school's students as

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identified by the federal Elementary and Secondary Education Act of 1965 and the federal No Child Left Behind Act of 2001 (20 U.S.C. 6301 et seq.).

(3) Graduation rates for secondary schools.

(4) Other measures of student academic performance used for school accountability under IC 20-31-8.

Sec. 8. A grant may be used for any combination of the following purposes:

(1) School programs to increase parental involvement.

(2) Curriculum or instruction materials, or both.

Sec. 9. Subject to section 8 of this chapter, the school improvement committee established under IC 20-31-5-1 shall determine the manner in which a grant must be used by a school.

Sec. 10. The general assembly shall determine the statewide amount available for grants in appropriations during a biennium. The maximum amount available to a school is determined by referencing the number of full-time certified teaching positions for the school. The department, under the direction of the state superintendent, shall determine the available amounts and distribute the grants earned.

Sec. 11. (a) A school that receives a grant may expend the grant for any educational purpose for the school that is consistent with section 8 of this chapter and the determination of the school improvement committee under section 9 of this chapter. The school may not expend the grant for:

(1) athletics;

(2) salaries for school personnel; or

(3) salary bonuses for school personnel.

(b) A grant may not be used to determine:

(1) the maximum permissible tuition support levy under IC 20-45-3; or

(2) the state tuition support under IC 20-43;

of the school corporation in which the school receiving the monetary award is located.

SECTION 9. IC 20-31-7 IS REPEALED [EFFECTIVE JULY 1, 2007].

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1578, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 21, delete "5" and insert "6".

Page 4, between lines 25 and 26, begin a new paragraph and insert:

"Sec. 5. "High performing" means placement by the state board in the exemplary or commendable performance category."

Page 4, line 26, delete "5." and insert "6.".

Page 4, line 28, after "performance" insert **"and high performing schools"**.

Page 4, line 35, delete "6." and insert "7.".

Page 5, line 4, delete "7." and insert "8.".

Page 5, line 8, delete "8." and insert "9.".

Page 5, line 8, delete "7" and insert "8".

Page 5, line 11, delete "9." and insert **"10."**.

Page 5, line 18, delete "10." and insert **"11."**.

Page 5, line 20, delete "7" and insert "8".

Page 5, line 21, delete "8" and insert "9".

and when so amended that said bill do pass.

(Reference is to HB 1578 as introduced.)

PORTER, Chair

Committee Vote: yeas 11, nays 0.

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